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PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/562,657

Filing Date

February 2, 2006

First Named Inventor

Niklaus et al.

Art Unit

3749

Examiner Name

Not Yet Known

Attorney Docket Number

HRG-PT029 (G 5903pct/us)

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	International Preliminary Report on Patentability
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	VOLPE AND KOENIG, P.C.		
Signature			
Printed name	Randolph J. Huis		
Date	5/22/2006	Reg. No.	34,626

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Randolph J. Huis	Date	5/22/2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the **PATENT APPLICATION** of:

Niklaus et al.

**Application No.:** 10/562,657

**Confirmation No.:** 6292

**Filed:** February 2, 2006

**For:** CIRCULATING AIR OVEN

**Group:** 3749

**Examiner:** Not Yet Known

**Our File:** HRG-PT029

(G 5902pct/us)

**Date:** May 22, 2006

**COMMUNICATION RE  
INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

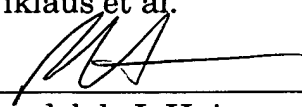
Enclosed is the English language translation of the International Preliminary Report on Patentability related to the above-identified 35 U.S.C. §371 National Phase Application based on PCT/CH2004/000402.

Prompt examination of the present application is respectfully requested.

Respectfully submitted,

Niklaus et al.

By

  
Randolph J. Huis  
Registration No. 34,626  
(215) 568-6400

Volpe and Koenig, P.C.  
United Plaza, Suite 1600  
30 South 17th Street  
Philadelphia, PA 19103  
RJH/dmm

From the INTERNATIONAL BUREAU

**PCT**

NOTIFICATION OF TRANSMITTAL  
OF COPIES OF TRANSLATION  
OF THE INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY  
(CHAPTER I OR CHAPTER II  
OF THE PATENT COOPERATION TREATY)  
(PCT Rules 44bis.3(c) and 72.2)

To:

GACHNANG, Hans, Rudolf  
Badstrasse 5  
Postfach 323  
CH-8501 Frauenfeld  
SUISSE

**EINGEGANGEN**

05. MAI 2006

Date of mailing (day/month/year)  
04 May 2006 (04.05.2006)

Applicant's or agent's file reference  
G 4898 pct

International application No.  
PCT/CH2004/000402

International filing date (day/month/year)  
28 June 2004 (28.06.2004)

Applicant

STRAHM TEXTILE SYSTEMS AG et al

FRIST: .....  
REARR: .....  
**IMPORTANT NOTIFICATION** .....

## 1. Transmittal of the translation to the applicant.



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

## 2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

## 3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Authorized officer

Yolaine Cussac

Facsimile No.+41 22 740 14 35

Facsimile No.+41 22 338 70 80

→ 5903 pct/us

## PATENT COOPERATION TREATY

## PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY  
(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference G 4898 pct	FOR FURTHER ACTION	See item 4 below
International application No. PCT/CH2004/000402	International filing date ( <i>day/month/year</i> ) 28 June 2004 (28.06.2004)	Priority date ( <i>day/month/year</i> ) 01 July 2003 (01.07.2003)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant STRAHM TEXTILE SYSTEMS AG		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).

2. This REPORT consists of a total of 7 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- |                                     |              |   |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I    | Basis of the report   |
| <input checked="" type="checkbox"/> | Box No. II   | Priority  |
| <input type="checkbox"/>            | Box No. III  | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability  |
| <input type="checkbox"/>            | Box No. IV   | Lack of unity of invention  |
| <input checked="" type="checkbox"/> | Box No. V    | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/>            | Box No. VI   | Certain documents cited   |
| <input type="checkbox"/>            | Box No. VII  | Certain defects in the international application  |
| <input type="checkbox"/>            | Box No. VIII | Certain observations on the international application   |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland  Facsimile No. +41 22 740 14 35	Date of issuance of this report 24 April 2006 (24.04.2006)
	Authorized officer  Yolaine Cussac  Telephone No. +41 22 338 70 80

# PATENT COOPERATION TREATY

Translation

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:

## PCT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Applicant's or agent's file reference <b>G 4898 pct</b>		<b>FOR FURTHER ACTION</b> See paragraph 2 below	
International application No. <b>PCT/CH2004/000402</b>	International filing date (day/month/year) <b>28.06.2004</b>	Priority date (day/month/year) <b>01.07.2003</b>	
International Patent Classification (IPC) or both national classification and IPC			
Applicant <b>STRAHM TEXTILE SYSTEMS AG</b>			

1. This opinion contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the opinion
<input checked="" type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/EP	Authorized officer
Facsimile No.	Telephone No.

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/CH2004/000402

Box No. I

Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.  
☐ This opinion has been established on the basis of a translation from the original language into the following language  
\_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material  
☐ a sequence listing  
☐ table(s) related to the sequence listing
  - b. format of material  
☐ in written format  
☐ in computer readable form
  - c. time of filing/furnishing  
☐ contained in the international application as filed.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/CH2004/000402

Box No. II

Priority

1. ☒ The following document has not yet been furnished:

☒ copy of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(a)).

☐ translation of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date in the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/CH2004/000402

**Box No. V** Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

**1. Statement**

Novelty (N)	Claims	2, 4, 5, 6, 8, 9, 10, 11, 12, 13	YES
	Claims	1, 3, 7	NO
Inventive step (IS)	Claims	4, 9, 10, 11, 12, 13	YES
	Claims	2, 5, 6, 8	NO
Industrial applicability (IA)	Claims	1-13	YES
	Claims		NO

**2. Citations and explanations:**

1. The present report makes reference to the following documents:

D1: DE 299 00 646 U (MEISSNER WOLFGANG; SCHOTT HEINZ (DE)) 12 May 1999 (1999-05-12)

D2: US 5 915 304 A (STIEL JUERGEN ALFRED) 29 June 1999 (1999-06-29)

D3: DE 31 30 297 A (MOHR MASCHINEN UND APPARATEBAU) 24 February 1983 (1983-02-24)

D3: EP-A-0 062 845 (DAIDO STEEL CO LTD) 20 October 1982 (1982-10-20)

**2. INDEPENDENT CLAIM 1**

- 2.1. The present application does not satisfy the requirements of PCT Article 33(1) because the subject matter of claim 1 is not novel within the meaning of PCT Article 33(2).

Document D1 discloses (the references between parentheses apply to this document):

convection oven (10) for treating a material web (40) that is guided through said convection oven, comprising means for supplying air and means for removing air as well as one blower (62) for



WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/CH2004/000402

Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement

conveying the air, at least one transport means (12, 26) for transporting said material web (40) through a passage space between two rows of air-supplying nozzle boxes (70, 72), which are arranged one above the other and extend transversely to the direction of transport of the transport means (12, 26) and the nozzles of which are arranged opposite one another, said nozzle boxes (70, 72) being connectable to the pressure side of the blower (62) by positioning means (66, 68) and the individual nozzle boxes (70, 72) being selectably connectable to the pressure or suction side of said blower (62).

3. DEPENDENT CLAIMS 2, 3, 5, 6, 7, 8

3.1. Claims 2, 3, 5, 6, 7 and 8 do not contain any features which, in combination with the features of any claim to which they refer back, meet the PCT requirements for novelty and inventive step (see documents D2, D3 and D4 for the particular claims).

4. DEPENDENT CLAIMS 4, 9, 10, 11, 12, 13

4.1. The combinations of features contained in dependent claims 4 (insofar as claim 4 can be understood; see point 5.2 of the present report) and 9 are neither known from nor suggested by the available prior art.

4.2. Claims 10-13 are dependent upon claim 9 and thus likewise satisfy the PCT requirements with respect to novelty and inventive step.

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/CH2004/000402

Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement

5. DEPENDENT CLAIMS 4 and 5

5.1. The application does not satisfy the requirements of PCT Article 6 because claims 4 and 5 are not clear.

5.2. The phrase "... with the heating space with the backflow space ..." in claim 4 is unclear and leaves the reader uncertain as to the meaning of the technical feature in question. As a result, the subject matter of said claim is not clearly defined (PCT Article 6).

5.3. The phrase "... as well as valves ..." in claim 5 is unclear and leaves the reader uncertain as to the meaning of the technical feature in question. As a result, the subject matter of said claim is not clearly defined (PCT Article 6).